IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	**8:08CR105**
Plaintiff,	)	
	)	
vs.	)	**ORDER**
	)	
JOSEPH W. HOFLER,	)	
JOSEPH M. HOFLER,	)	
THOMAS A. NEW,	)	
JASON M. CODR,	)	
ANDREW T. SMALLRIDGE,	)	
STEVEN A. JONES,	)	
ARTHUR W. JONES,	)	
FRED M. HUFFMAN,	)	
IVAN J. HICKS,	)	
CATHERINE A. THOMAS,	)	
	)	
Defendants.	)	

This matter is before the court on the motion for an extension of time by defendant Joseph M. Hofler (Filing No. 84). Defendant seeks additional time in which to file pretrial motions in accordance with the progression order. Joseph M. Hofler has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted **and** the pretrial motion deadline will be extended **as to all defendants**.

IT IS ORDERED:

1. Defendant Joseph M. Hofler's motion for an extension of time (Filing No. 84) is granted. **All defendants** are given until **on or before June 6, 2008,** in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 17, 2008 and June 6, 2008**, shall be deemed **excludable** time in any

computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

       2.   The trial setting of this case is cancelled and will be rescheduled following the disposition of any pretrial motions by any of the defendants.

       DATED this 17th day of April, 2008.

BY THE COURT:

 s/Thomas D. Thalken
United States Magistrate Judge

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